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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/754,969	01/05/2001	Evan S. Huang	2276-02	3976

26797 7590 01/21/2003

SILICON VALLEY PATENT AGENCY, INC.  
7394 WILDFLOWER WAY  
CUPERTINO, CA 95014

EXAMINER

BASHORE, WILLIAM L

ART UNIT PAPER NUMBER

2176

DATE MAILED: 01/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/754,969

Applicant(s)

HUANG, EVAN S.

Examiner

William L. Bashore

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-27 and 29-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-27 and 29-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

### DETAILED ACTION

1. This action is responsive to communications: After Final Request for Reconsideration (hereinafter the Request), filed 7/20/2002, to the original application filed 1/5/2001, with provisional filing date of 1/31/2000. IDS filed 4/23/2001 and 4/25/2001.
2. The rejection of claims 1-3, 5-27, 29-42 under 35 U.S.C. 103(a) as being unpatentable over Borgendale, Fallside, and Arn has been withdrawn as necessitated by the Request.
3. Claims 1-3, 5-27, 29-42 are pending. Claims 1, 15, 25, 39 are independent claims.

### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-3, 5-27, 29-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuwahara, U.S. Patent No. 6,202,072 issued March 2001, in view of Arn et al. (hereinafter Arn), PCT International Application Publication No. WO 94/14122, Application No. PCT/CA93/00525, Publication date: 23 June 1994.

In regard to independent claim 1, Kuwahara teaches creation of a structured (SGML) document from a plain text document (Kuwahara Abstract; compare with claim 1 "*a method of producing a structured document, the method comprising:*").

Kuwahara teaches receiving a DTD file, as well as a prototype file (Kuwahara Figure 1, column 5 lines 6-15; compare with claim 1 “*receiving a definition file including document type definitions (DTD)...*”). Said files are used to generate a document type definition reflected as a tree structure of hierarchical elements (Kuwahara Figure 2, also column 5 lines 31-65; compare with claim 1 “*... to generate a tree structure showing hierarchical relationships of document elements;*”).

Kuwahara teaches displaying an output presentation comprising a plain text file for inputting data by a user within a form with fields (decoration attributes) (Kuwahara Figure 3 item a, column 6 lines 17-27). Kuwahara does not specifically teach displaying Kuwahara’s tree (Figure 2) to a user along with said presentation. However, Arn teaches display of structural documents in a left hand pane comprising hierarchically nested elements (a tree of elements), said elements associated with portions of a document displayed in a right hand pane (Arn Abstract, Figures 1-6). It is to be noted that the display of elements are also associated with the document’s DTD, acting to constrain the user to only those modifications allowed by said document’s DTD (Arn page 3 lines 1-14, page 6 lines 23-30, page 7 lines 2-4, page 8 lines 1-20) (compare with claim 1 “*displaying an output presentation along with the tree structure, the output presentation including a number of displayable objects and respective decoration attributes about each of the displayable objects*”, and “*associating at least one of the document elements...with one of the displayable objects*”). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the split display of Arn to Kuwahara’s tree structure, providing a user of Kuwahara the benefit of visualizing manipulation of elements, and helping to constrain a user to a particular DTD (Arn page 6 lines 23-29).

Kuwahara teaches creating a structured document from an initial output presentation via DTD and an SGML conversion form (Kuwahara Figure 2, 3, 8, Abstract, column 8 lines 60-67; compare with claim 1 “*creating the structured document...with the one of the displayable objects.*”).

Art Unit: 2176

**In regard to dependent claim 2,** Kuwahara teaches creating a structured document from an initial output presentation via DTD, tree structure, and an SGML conversion form which modifies the output while preserving the same basic layout (Kuwahara Figure 2, 3, 8, Abstract, column 8 lines 60-67).

**In regard to dependent claim 3,** Kuwahara teaches converting a document with an SGML conversion form, to SGML (Kuwahara Figure 8).

**In regard to dependent claim 5,** Kuwahara teaches a tree structure comprising sub-document elements associated with displayable objects (Kuwahara Figure 2).

**In regard to dependent claims 6, 7,** Kuwahara teaches a tree structure comprising document elements, said elements identified with various alphanumeric input data (i.e. string data) (Kuwahara Figures 2, 3; compare with claims 6, 7).

**In regard to dependent claim 8,** Kuwahara does not specifically teach selection from a group of elements (font, color, size, style, effect). However, Arn teaches selection from a group of element identifiers, including a style (Arn Figure 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Arn to Kuwahara, providing a user of Kuwahara the convenience of selecting from a group of elements associated with a document's DTD.

**In regard to dependent claims 9-11,** Kuwahara teaches a tree structure comprising document elements, said elements identified with various alphanumeric input data (i.e. string data) (Kuwahara Figures 2, 3).

Kuwahara does not specifically teach selection from a group of elements (font, color, size, style, effect). However, Arn teaches selection from a group of element identifiers, including a style (Arn Figure 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Arn to Kuwahara, providing a user of Kuwahara the convenience of selecting from a group of elements associated with a document's DTD.

**In regard to dependent claims 12-14,** Kuwahara teaches an initial unstructured document (plain text) (Kuwahara column 5 lines 41-49).

Kuwahara teaches a tree structure comprising document elements, said elements identified with various alphanumeric input data (i.e. string data) (Kuwahara Figures 2, 3).

Kuwahara does not specifically teach selection from a group of elements (font, color, size, style, effect). However, Arn teaches selection from a group of element identifiers, including a style (Arn Figure 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Arn to Kuwahara, providing a user of Kuwahara the convenience of selecting from a group of elements associated with a document's DTD.

**In regard to independent claim 15,** claim 15 incorporates substantially similar subject matter as claimed in claim 1, and in further view of the following, is rejected along the same rationale.

Kuwahara teaches display of a plain text document and generation of a tree structure based on a DTD (Kuwahara Figure 2, column 5 lines 41-50). Kuwahara does not specifically teach a first and second (i.e. split) display screen. However, Arn teaches display of structural documents in a left hand pane comprising hierarchically nested elements (a tree of elements), said elements associated with portions of a document displayed in a right hand pane (Arn Abstract, Figures 1-6). It is to be noted that the display of elements are also associated with the document's DTD, acting to constrain the user to only those modifications allowed by said document's DTD (Arn page 3 lines 1-14, page 6 lines 23-30, page 7 lines

Art Unit: 2176

2-4, page 8 lines 1-20) (compare with claim 15 “*a first display and a second display...*”). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the split display of Arn to Kuwahara’s tree structure, providing a user of Kuwahara the benefit of visualizing manipulation of elements via split screen, helping to constrain a user to a particular DTD (Arn page 6 lines 23-29).

Kuwahara teaches a tree structure comprising document elements. Element “STAFF” can be interpreted as a group object element in the tree structure, incorporating “NAME” and “DEPARTMENT” (Kuwahara Figure 2; compare with claim 15 “*forming a number of group objects, each of the group objects including one or more of the displayable objects*”).

Kuwahara teaches a tree structure comprising document elements, said elements identified with various alphanumeric input data as identifiers (i.e. string data) (Kuwahara Figures 2, 3; compare with claim 15 “*... including an identifier*”, and “*associating each of the group objects... in one of the document elements*”).

**In regard to dependent claim 16**, Kuwahara teaches creating a structured document from an initial output presentation via DTD, tree structure, and an SGML conversion form which modifies the output while preserving the same basic layout (Kuwahara Figure 2, 3, 8, Abstract, column 8 lines 60-67).

**In regard to dependent claims 17, 18**, Kuwahara teaches converting a document with an SGML conversion form, to SGML, which is generally suitable for display on applications made to interpret said language (Kuwahara Figure 8).

**In regard to dependent claims 19-20,** Kuwahara teaches SGML (Kuwahara Figure 2, 3, 8, Abstract, column 8 lines 60-67). Kuwahara does not specifically teach the Internet. However, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, because SGML and hypertext suggests an Internet embodiment, providing the advantage of a familiar communication medium to Kuwahara.

**In regard to dependent claims 21-24,** Kuwahara teaches a tree structure comprising document elements, said elements identified with various alphanumeric input data (i.e. string data) (Kuwahara Figures 2, 3).

Kuwahara does not specifically teach selection from a group of elements (font, color, size, style, effect). However, Arn teaches selection from a group of element identifiers, including a style (Arn Figure 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Arn to Kuwahara, providing a user of Kuwahara the convenience of selecting from a group of elements associated with a document's DTD.

**In regard to independent claim 25,** claim 25 reflects the computer program product (medium) comprising computer readable code used for performing the methods as claimed in claim 1, and is rejected along the same rationale.

**In regard to dependent claims 26-27, 29-38,** claims 26-27, 29-38 reflect the machine readable medium comprising computer readable instructions for performing the methods as claimed in claims 2-3, 5-14 respectively, and are rejected along the same rationale.



Art Unit: 2176

In regard to independent claim 39, claim 39 reflects the computer program product (medium) comprising computer readable code used for performing the methods as claimed in claim 15, and is rejected along the same rationale.

In regard to dependent claims 40, 41, 42, claims 40, 41, 42 reflect the machine readable medium comprising computer readable instructions for performing the methods as claimed in claims 16, 17, 21 respectively, and are rejected along the same rationale.

6. **Prior art made of record and not relied upon is considered pertinent to disclosure.**

Tyan et al.	U.S. Patent No. 5,893,127	issued	04-1999
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***Response to Arguments***

7. Applicant's arguments filed 12/21/2002 have been fully and carefully considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William Bashore whose telephone number is (703) 308-5807. The examiner can normally be reached on Monday through Friday from 11:30 AM to 8:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (703) 308-5186.

Art Unit: 2176

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

9. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

or faxed to:

(703) 746-7239 (for formal communications intended for entry)

or:

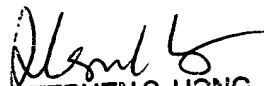
(703) 746-7240 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

or:

(703) 746-7238 (for after-final communications)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA, Fourth Floor (Receptionist).

William L. Bashore  
01/15/2003

  
STEPHEN S. HONG  
PRIMARY EXAMINER